IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 15TH JANUARY 2007 / 25TH PAUSHA 1928

Bail Appl..No. 190 of 2007()

CRIME NO.24/07 OF KOLLAM POLICE STATION.

: PETITIONERS:

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1. G. VIPINAN,
   CHIEF EDITOR, `POLYGRAPH' MALAYALAM FORTNIGHTLY,
   S/O.GANGADHARAN VAIDYAR, AGED 54 YEARS,
   RESIDING AT PADMA VILAS, MUNDAKKAL WEST, KOLLAM.

2. V.V. MANU,
   MANAGING EDITOR, `POLYGRAPH', MALAYALAM FORTNIGHLY
   S/O.G.VIPINAN, RESIDING AT PADMA VILAS,
   MUNDAKKAL WEST, KOLLAM.

BY ADV. SMT.SADHANA KUMARI ESWARI
SMT.GISA SUSAN THOMAS

RESPONDENTS:

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1. STATE OF KERALA,
   REP. BY THE CIRCLE INSPECTOR OF POLICE,
   KOLLAM EAST POLICE STATION THROUGH THE
   GOVT.PLEADER, HIGH COURT OF KERALA.

2. SUGATHAN,
   PARAMESWAR, PALLITHOTTAM, KOLLAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 190 OF 2007

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DATED THIS THE 15th DAY OF JANUARY, 2007

O R D E R

Petitioners who are the Chief Editor and Managing Editor of a Malayalam fortnightly by name 'Polygraph', seek anticipatory bail on the allegation that the Kollam East Police are at their heels at the instance of one Sugathan.

2. Learned Public Prosecutor on instructions submitted that the petitioners are accused 1 and 2 in Crime No.24/07 of Kollam Police Station now registered for offences punishable under sections 294(b) and 506(i) IPC, both of which are bailable offences. If so, invocation of section 438 Cr.P.C. is misconceived.

This petition is closed without prejudice to the right of the petitioner to seek regular bail from the Magistrate concerned.

V.RAMKUMAR, JUDGE

dsn